

REMARKS

Entry of the foregoing and further and favorable reconsideration of the subject application in light of the foregoing amendment and the following remarks:

Applicant respectfully submits that no new matter has been added.

Claims 1-10 are currently pending, claims 11-14 having been withdrawn.

35 USC § 103(a)

On page 2 of the Office Action, the Examiner rejects Claims 1,2,4-9 under 35 USC 103(a) over Bergman (US 5060420 in view of Tesch (US 3655501). The Examiner notes that Bergman does not disclose the "elongated ellipse-shaped apertures wherein the apertures are in an alternating anti-parallel orientation" of the present invention. The Examiner asserts that Tesch discloses a plurality of apertures, in which the apertures are in an alternating anti-parallel orientation. The Examiner, therefore asserts that the present invention is obvious under 35 USC 103(a) over Bergman in view of Tesch.

In response, Applicant has herein above amended Claim 1 to recite, "the tubular sheet liner comprises a plurality of elongated, ellipse-shaped apertures between the interior side and the exterior side, and the apertures are positioned in a pattern which is regular and repeating and is in an orientation having a repeating triplet pattern comprising parallel, anti-parallel, parallel." In other words as shown in the Figures, the repeating pattern of the present invention discloses a repeated triplet: ABA, ABA, ABA, which is distinct from the

simple doublet repeat of Tesch (i.e. AB, AB, AB). Accordingly, Applicant respectfully submits that Tesch teaches away from the triplet repeat of the present invention. Moreover, the disclosure of Tesch covers numerous floor cover material patterns and designs to address floor cover buckling and adhesion problems. Nothing disclosed in Tesch teaches, or suggests use of the triplet repeat pattern of elongated ellipses as disclosed by the present invention, let alone in combination as disclosed by Applicant.

Accordingly, Applicant respectfully submits that the Claims as amended obviate the rejection under 35 USC 103(a) and respectfully urges the Examiner to withdraw the rejection(s).

Applicant respectfully submits that Claims 1-10 as amended are now in condition for allowance.

CONCLUSION

For the foregoing reasons, Applicant respectfully submits that the application and amended claims are now in proper form for allowance and that the amended claims are patentable over the prior art. Therefore, Applicant respectfully submits that the application is now in condition for allowance, and solicits favorable action on all pending claims, namely Claims 1-10.

If for any reason this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. 706.03(d) and 707.07(j) in order that the undersigned can place this

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application in allowable condition as soon as possible and without the need for further proceedings. In the event that there are any questions concerning this Amendment, or the application in general, the Examiner is respectfully urged to telephone the undersigned so that prosecution of the application may be expedited.

Respectfully submitted,
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